

**U.S. District Court  
California Northern District (Oakland)  
CIVIL DOCKET FOR CASE #: 4:19-cv-02515-KAW**

Rivera v. National Nuclear Security Administration et al  
Assigned to: Magistrate Judge Kandis A. Westmore  
Cause: 05:552 Freedom of Information Act

Date Filed: 05/09/2019  
Jury Demand: None  
Nature of Suit: 895 Freedom of Information Act  
Jurisdiction: Federal Question

**Plaintiff****Anthony Rivera**

represented by **Scott Justin Yundt**  
Tri-Valley CAREs  
4049 First St. Suite 139A  
Livermore, CA 94551  
925-443-7148  
Fax: 925-443-0177  
Email: [scott@trivalleycares.org](mailto:scott@trivalleycares.org)  
**ATTORNEY TO BE NOTICED**

V.

**Defendant****National Nuclear Security  
Administration**

represented by **Jennifer S Wang**  
United States Attorney's Office  
450 Golden Gate Avenue, 9th Floor  
San Francisco, CA 94102-3495  
415-436-6967  
Fax: 415-436-6748  
Email: [jennifer.s.wang@usdoj.gov](mailto:jennifer.s.wang@usdoj.gov)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Kenneth Warren Brakebill**  
U.S. Attorney's Office  
450 Golden Gate Avenue  
Box 36055  
San Francisco, CA 95102  
415-436-7167  
Email: [kenneth.brakebill@usdoj.gov](mailto:kenneth.brakebill@usdoj.gov)  
**ATTORNEY TO BE NOTICED**

**Defendant****US Department of Energy**

represented by **Jennifer S Wang**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Kenneth Warren Brakebill**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
05/09/2019	<u>1</u>	COMPLAINT against All Defendants ( Filing fee \$ 400, receipt number 0971-13335509.). Filed by Anthony Rivera. (Attachments: # <u>1</u> Civil Cover Sheet)(Yundt, Scott) (Filed on 5/9/2019) Modified on 5/13/2019 (jmlS, COURT STAFF). Modified on 5/23/2019 (jmlS, COURT STAFF). (Entered: 05/09/2019)

05/10/2019	<u>2</u>	<p>Case assigned to Magistrate Judge Kandis A. Westmore.</p> <p>Counsel for plaintiff or the removing party is responsible for serving the Complaint or Notice of Removal, Summons and the assigned judge's standing orders and all other new case documents upon the opposing parties. For information, visit <i>E-Filing A New Civil Case</i> at <a href="http://cand.uscourts.gov/ecf/caseopening">http://cand.uscourts.gov/ecf/caseopening</a>.</p> <p>Standing orders can be downloaded from the court's web page at <a href="http://www.cand.uscourts.gov/judges">www.cand.uscourts.gov/judges</a>. Upon receipt, the summons will be issued and returned electronically. Counsel is required to send chambers a copy of the initiating documents pursuant to L.R. 5-1(e)(7). A scheduling order will be sent by Notice of Electronic Filing (NEF) within two business days. Consent/Declination due by 5/24/2019. (srnS, COURT STAFF) (Filed on 5/10/2019) (Entered: 05/10/2019)</p>
05/13/2019	<u>3</u>	<p><b>Initial Case Management Scheduling Order with ADR Deadlines: Case Management Statement due by 8/6/2019. Initial Case Management Conference set for 8/13/2019 01:30 PM. (jmlS, COURT STAFF) (Filed on 5/13/2019) (Entered: 05/13/2019)</b></p>
05/23/2019	<u>4</u>	<p><b>***DISREGARD. SEE DOCKET #5.***</b></p> <p>Proposed Summons. (Yundt, Scott) (Filed on 5/23/2019) Modified on 5/24/2019 (jmlS, COURT STAFF). (Entered: 05/23/2019)</p>
05/23/2019	<u>5</u>	Proposed Summons. (Yundt, Scott) (Filed on 5/23/2019) (Entered: 05/23/2019)
05/23/2019	<u>6</u>	CONSENT/DECLINATION to Proceed Before a US Magistrate Judge by Anthony Rivera.. (Yundt, Scott) (Filed on 5/23/2019) (Entered: 05/23/2019)
05/24/2019	<u>7</u>	Summons Issued as to National Nuclear Security Administration, US Department of Energy, U.S. Attorney and U.S. Attorney General. (jmlS, COURT STAFF) (Filed on 5/24/2019) (Entered: 05/24/2019)
05/30/2019	<u>8</u>	CERTIFICATE OF SERVICE by Anthony Rivera (Yundt, Scott) (Filed on 5/30/2019) (Entered: 05/30/2019)
05/30/2019		<p><u>Electronic filing error</u>. No title Page. Certificates/Proofs of Service e-filed separately and not as an attachment, require a title page. Please refer to Civil Local Rules 3-4 re first page requirement. Document not properly linked. [err102] Please re-file in its entirety. Re: <u>8</u> Certificate of Service filed by Anthony Rivera (jmlS, COURT STAFF) (Filed on 5/30/2019) (Entered: 05/30/2019)</p>
06/12/2019	<u>9</u>	CERTIFICATE OF SERVICE by Anthony Rivera (Yundt, Scott) (Filed on 6/12/2019) (Entered: 06/12/2019)
07/03/2019	<u>10</u>	Defendants' ANSWER to Complaint by National Nuclear Security Administration, US Department of Energy. (Wang, Jennifer) (Filed on 7/3/2019) (Entered: 07/03/2019)
07/08/2019	<u>11</u>	<p>CLERK'S NOTICE Re: Consent or Declination: Defendants shall file a consent or declination to proceed before a magistrate judge. Note that any party is free to withhold consent to proceed before a magistrate judge without adverse substantive consequences. The forms are available at: <a href="http://cand.uscourts.gov/civilforms">http://cand.uscourts.gov/civilforms</a>. Consent/Declination due by 7/22/2019. (dtmS, COURT STAFF) (Filed on 7/8/2019) (Entered: 07/08/2019)</p>
07/22/2019	<u>12</u>	CONSENT/DECLINATION to Proceed Before a US Magistrate Judge by National Nuclear Security Administration, US Department of Energy.. (Wang, Jennifer) (Filed on 7/22/2019) (Entered: 07/22/2019)
08/06/2019	<u>13</u>	JOINT CASE MANAGEMENT STATEMENT filed by National Nuclear Security Administration, US Department of Energy, and Anthony Rivera. (Wang, Jennifer) (Filed on 8/6/2019) Modified on 8/7/2019 (jjbS, COURT STAFF). (Entered: 08/06/2019)
08/13/2019	<u>14</u>	<p><b>Minute Entry for proceedings held before Magistrate Judge Kandis A. Westmore: Initial Case Management Conference held on 8/13/2019. Joint Status Report due by 9/17/2019.FTR Time: 2:30-2:35. (dtmS, COURT STAFF) (Date Filed: 8/13/2019) (Entered: 08/13/2019)</b></p>

08/14/2019	<u>15</u>	<b>ORDER TO SHOW CAUSE for failure to appear at the case management conference. Plaintiff's Counsel to file Show Cause Response by 8/23/2019. Signed by Judge Kandis A. Westmore on 8/14/2019. (kawlc1, COURT STAFF) (Filed on 8/14/2019) (Entered: 08/14/2019)</b>
08/14/2019	<u>16</u>	RESPONSE TO ORDER TO SHOW CAUSE by Anthony Rivera . (Yundt, Scott) (Filed on 8/14/2019) (Entered: 08/14/2019)
08/20/2019	<u>17</u>	<b>ORDER discharging <u>15</u> Order to Show Cause. Signed by Judge Kandis A. Westmore on 8/20/2019. (kawlc1, COURT STAFF) (Filed on 8/20/2019) (Entered: 08/20/2019)</b>
09/11/2019	<u>18</u>	NOTICE of Substitution of Counsel by Kenneth Warren Brakebill (Brakebill, Kenneth) (Filed on 9/11/2019) (Entered: 09/11/2019)